IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 12.07.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice V.DHANAPALAN

Habeas Corpus Petition No.596 of 2006

K.A.Babu ... Petitioner

Vs.

1.Athilakshmi

2.State of Tamil Nadu,
rep. by the Assistant
Commissioner of Police,
Ambattur Range,
23/12, South Park Street,
Venkatapuram, Ambattur,
Chennai-600 053. .. Respondents

Petition under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus to direct the first respondent to cause production of the body and person of Tmt. Suriya @ Sudha W/o K.A.Babu, female, aged about 19 years, who is now in illegal custody of the first respondent confined at No.59, kalaivanar Street, Oragadam, Ambattur, Chennai-600 053 before this Court and set her at liberty.

For Petitioner : Mr.N.Doraisamy for
Mr.K.P.Kesavan

For Respondents : Mr.M.Babu Muthu Meeran
Addl. Public Prosecutor

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O R D E R

(Order of the Court was made by P.SATHASIVAM,J.)

The petitioner, by name K.A.Babu, filed this petition for production of one Suriya @ Sudha, aged about 19 years, who is now confined at No.59, Kalaivanar Street, Oragadam, Ambattur, Chennai-600 053, before this Court and set her at liberty.

2. Pursuant to the direction of this Court, the detenue Suriya @ Sudha appeared before us. According to her, she is a major, her

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date of birth being 17.06.1988. Though the petitioner claims that he married the detenue on 10.05.2006, in our enquiry, the detenue stoutly denied the same. She also informed us that on 14.06.2006, she married one Dinakaran and according to her, from that date onwards, she is living with him happily.

3. In the light of the above statement and assertion of the detenue, she being a major and married to one M.Dinakaran, we are not inclined to issue any direction as claimed by the petitioner. The detenue is free to continue her marital life according to her wish. However, the petitioner is at liberty to vindicate his grievance before the appropriate Forum, if he so desires.

4. With the above observation, this petition is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

raa

To

1.The Assistant Commissioner of Police,
Ambattur Range,
23/12, South Park Street,
Venkatapuram, Ambattur,
Chennai-600 053.

1 cc to Mr.V. Perarasu, Advocate, sr. 29983

HCP. No.596 of 2006

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